

**UTILITY/DESIGN PATENT**  
Docket No. S63.2-11032-US01

**D E C L A R A T I O N**

As a below-named inventor, I(we) hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- original
- design
- supplemental
- national stage of PCT
- divisional
- continuation
- continuation-in-part (CIP)

**INVENTORSHIP DECLARATION**

My residence, post office address, and citizenship are as stated below next to my name;

I verily believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MEDICAL DEVICE WITH VARYING PHYSICAL PROPERTIES AND METHOD FOR FORMING SAME**

the specification of which:

- a)  is being filed concurrently herewith
- b)  was filed on \_\_\_\_\_ and assigned Serial No. \_\_\_\_\_
- c)  was filed as PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and amended under PCT Article 19 on \_\_\_\_\_.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56.

- In compliance with this duty there is attached an Information Disclosure Statement.  
37 CFR 1.97.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate or of any PCT international applications(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me having the same subject matter having a filing date before that of the application on which priority is claimed.

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code, §119(e) of any United States provisional application identified below.

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1.	
2.	

#### **CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS(S) UNDER 35 U.S.C. §120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international applications(s) designating the United States of America that is/are listed below.

U.S. APPLICATIONS	
APPLICATION NUMBER	U.S. FILING DATE
1.	
2.	
PCT APPLICATIONS DESIGNATING THE U.S.	
PCT APPLICATION NO.	PCT FILING DATE
3.	

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Telephone calls and correspondence should be directed to: Walter J. Steinkraus, at Customer No. 490, Telephone: (952) 563-3000, Facsimile: (952) 563-3001.

**First Inventor**

Full name:

**Robert E. Burgmeier**

Inventor's signature:



Date:

12-17-03

Citizenship:

**US**

Post office Address:

**2740 Garland Lane N  
Plymouth, MN 55447**

Residence:

(If different than above)

**Second Inventor**

Full name:

**Richard Goodin**

Inventor's signature:



Date:

12-17-03

Citizenship:

**US**

Post office Address:

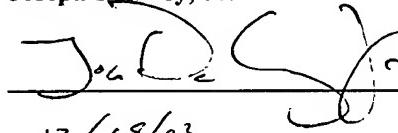
**12801 Hapers Street NE  
Blaine, MN 55449**

Residence:

(If different than above)

**Third Inventor**

Full name:

**Joseph Delaney, Jr.**

Inventor's signature:

Date:

12/18/03

Citizenship:

**US**

Post office Address:

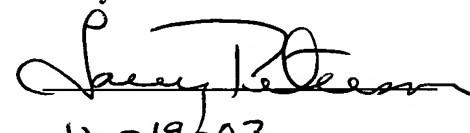
**3621 17th Ave. S  
Minneapolis, MN 55407**

Residence:

(If different than above)

**Fourth Inventor**

Full name:

**Larry Peterson**

Inventor's signature:

Date:

12-19-03

Citizenship:

**US**

Post office Address:

**9242 Lake Side Trail  
Champlin, MN 55316**

Residence:

(If different than above)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Burgmeier et al
Title:	<b>MEDICAL DEVICE WITH VARYING PHYSICAL PROPERTIES AND METHOD FOR FORMING SAME</b>
Filed:	<input checked="" type="checkbox"/> concurrently herewith <input type="checkbox"/> on _____ and assigned Serial No. _____

Docket No.: S63.2-11032-US01

## ASSIGNEE'S STATEMENT OF OWNERSHIP 37 CFR 3.73(B)

Scimed Life Systems, Inc. (name of assignee), a MN corporation (e.g., corporation, partnership, university, government agency etc.) is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

A.  An assignment from the inventor(s) of the patent application identified above. A photocopy of the Assignment is enclosed.

OR

B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From : \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

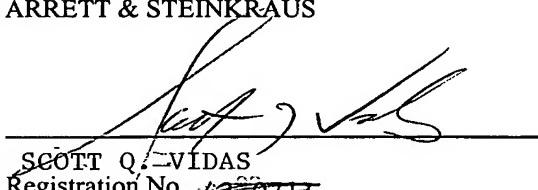
2. From : \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned is empowered to sign this statement of ownership certificate on behalf of the assignee.

VIDAS, ARRETT &amp; STEINKRAUS

Date: 12/31/03By: SCOTT Q. VIDAS  
Registration No. 3,071,2

6109 Blue Circle Drive, Suite 2000  
 Minnetonka, MN 55343-9185  
 Telephone: (952) 563-3000  
 Facsimile: (952) 563-3001

*30,812*

LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE  
REGARDING CERTAIN PATENT MATTERS  
EFFECTIVE THROUGH: December 31, 2003

\*\*\*\*\*

I, Paul W. Sandman, as Senior Vice President, Secretary, and General Counsel of Boston Scientific Corporation, the controlling corporation of:

AMS Medinvent S.A.; Boston Scientific BV; Boston Scientific Corporation Northwest Technology Center, Inc.; Boston Scientific Ireland Limited; Boston Scientific Japan KK; Boston Scientific Limited; Boston Scientific Scimed, Inc. (formerly known as Schneider (USA), Inc.); Cardiovascular Innovations Canada, Inc.; Corvita Canada, Inc.; Corvita Corporation; Corvita Europe S.A.; EP Technologies, Inc.; Laboratoires Corvita S.A.R.L.; Meadox Medicals, Inc.; NAMIC Eireann Limited; NAMIC International, Inc.; Nilo Holding, S.A.; Schneider (Europe) GmbH; Schneider Belgium NV; Schneider Holland BV; Schneider Ireland BV; Schneider Puerto Rico (formerly known as NAMIC Caribe, Inc.); Schneider/NAMIC; Scimed Life Systems, Inc.; Symbiosis Corporation; Target Therapeutics, Inc.; Cardiac Pathways Corporation; Interventional Technologies, Inc.; Embolic Protection, Inc.; Quanum Corporation; Smart Therapeutics, Inc.; Radio Therapeutics Corporation; Catheter Innovations Corp.; Enteric Medical Technologies, Inc.; BEI Medical Systems; Heart Technologies; Vesica; and Inflow Dynamics Inc.;

hereby authorize the following registered patent attorneys/agents (1) to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent entities, (2) to execute power of attorney documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, to appoint and/or establish any attorneys, agents, and/or law firms to act on behalf of any of the corporations identified above, including Boston Scientific Corporation, in any foreign or international patent applications filed with any foreign and/or international patent offices, and (3) to execute assignment and ownership documents on behalf of any of the corporations identified above, including Boston Scientific Corporation, with regard to any matters before the United States Patent and Trademark Office, any foreign patent offices, and any international patent offices:

Scott T. Bluni .....	Reg. No. 40,916
James R. Chiapetta.....	Reg. No. 39,634
Luke R. Dohmen.....	Reg. No. 36,783
Peter J. Gafner .....	Reg. No. 36,517
Albert K. Kau.....	Reg. No. 40,672
Kurt W. Lockwood .....	Reg. No. 40,704
Steven A. McAuley .....	Reg. No. 46,084
Todd P. Messal.....	Reg. No. 42,883
Robert M. Rauker.....	Reg. No. 40,782
William J. Shaw .....	Reg. No. 43,111

Paul W. Sandman  
Senior Vice President, Secretary, and General Counsel

4/11/03

Date

COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF MIDDLESEX ) ss.  
 )

On this 11<sup>m</sup> day of April, 2003 before me personally appeared Paul W. Sandman to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes set forth herein.

Nona E. Hurd Nona E. Hurd  
NOTARY PUBLIC  
My commission expires Sept 18 2009